**GOVERNMENT OF ANDHR PRADESH**
**ABSTRACT**

Public Services – Forest Department – Certain irregularities committed by Sri B.M. Chanakya Raju, Assistant Conservator of Forests (Retd.), earlier worked as Forest Range Officer, Kurnool Range, Kurnool (T) Division in recommending for shifting of Sawmills within a distance of 5 Kms from the nearest R.F. Boundary in violation of the orders issued in G.O.Ms.No.91, E.F.S. & T. (FOR-III) Department, dated 11.07.2006 – Orders passed by the Hon'ble High Court of A.P., dated 25.07.2023 in W.P.No.41485/2017 filed by the Department – Departmental Proceedings under Rule 9 of A.P.Revised Pension Rules, 1980 read with Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 – Articles of Charge – Issued.

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**ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (SEC.IV) DEPARTMENT**

**G.O.Rt.No.43** **Dated 05.03.2024.**

**Read:**

G.O.Ms.No.16, E.F.S. & T. (Sec.IV) Department, dated 05.03.2024.

**ORDER:**

In the light of the Orders passed by the Hon'ble High Court of Andhra Pradesh dated 25.07.2023 in W.P.No.41485/2017 and in pursuance of the sanction accorded by the Government under sub-clause (i) of clause (b) of sub-rule (2) of Rule 9 of A.P.Revised Pension Rules,1980 for instituting departmental proceedings against Sri B.M.Chanakya Raju, Assistant Conservator of Forests (Retd.), earlier worked as Forest Range Officer, Kurnool Range, Kurnool (T) Division in the reference read above, it is proposed to hold an inquiry against the said Sri B.M.Chanakya Raju, Assistant Conservator of Forests (Retd.), earlier worked as Forest Range Officer, Kurnool Range, Kurnool (T) Division in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules,1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set-out in the enclosed statement of article of charge (Annexure-I). A statement of imputations of misconduct or misbehavior in support of article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the article of charge proposed to be sustained are also enclosed in Annexure- III & IV.

3. Sri B.M.Chanakya Raju, Assistant Conservator of Forests (Retd.), earlier worked as Forest Range Officer, Kurnool Range, Kurnool (T) Division is directed to submit his written statement of defense within (10) days from the date of receipt of this order.

4. Sri B.M.Chanakya Raju, Assistant Conservator of Forests (Retd.), earlier worked as Forest Range Officer, Kurnool Range, Kurnool (T) Division is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri B.M.Chanakya Raju, Assistant Conservator of Forests (Retd.), earlier worked as Forest Range Officer, Kurnool Range, Kurnool (T) Division is further informed that if he does not submit his written statement of defense on or before the date specified in Para-3 above, further action will be processed based on the material available.

6. Attention of Sri B.M.Chanakya Raju, Assistant Conservator of Forests (Retd.), earlier worked as Forest Range Officer, Kurnool Range, Kurnool (T) Division is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in

**P.T.O.**

respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that above Sri B.M.Chanakya Raju, Assistant Conservator of Forests (Retd.), earlier worked as Forest Range Officer, Kurnool Range, Kurnool (T) Division is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule-24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of G.O., shall be acknowledged.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**NEERABH KUMAR PRASAD**
**SPECIAL CHIEF SECRETARY TO GOVERNMENT**

To

Sri B.M. Chanakya Raju, Assistant Conservator of Forests (Retd.),
earlier worked as Forest Range Officer, Kurnool Range of Kurnool (T) Division
through the Principal Chief Conservator of Forests & Head of Forest Force,
A.P., Mangalagiri.

The Principal Chief Conservator of Forests & Head of Forest Force,
A.P., Mangalagiri.
(He is requested to serve the orders on the individual,
obtain his dated acknowledgment on the duplicate copy
and resubmit the same to the Government for record).

**Copy to:**

SF/SC (Computer No.1896741).

//FORWARDED :: BY ORDER //

SECTION OFFICER

**ANNEXURE-I**

**STATEMENT SHOWING THE ARTICLE OF CHARGE FRAMED AGAINST SRI B.M.CHANAKYA RAJU, ASSISTANT CONSERVATOR OF FORESTS (RETD.), EARLIER WORKED AS FOREST RANGE OFFICER, KURNOOL RANGE, KURNOOL(T) DIVISION OF KURNOOL CIRCLE.**

That the said Sri B.M.Chanakya Raju, Assistant Conservator of Forests (Retd.), earlier Forest Range Officer, Kurnool Range, Kurnool (T) Division during his tenure for the period from 01.08.2009 to 25.04.2012 had grossly neglected his legitimate duties, committed grave misconduct and irregularities as mentioned in the following Articles of Charge:

| | |
|---|---|
| **ARTICLES OF CHARGE:** | "That Sri B.M.Chanakya Raju, Assistant Conservator of Forests (Retd.), earlier Forest Range Officer, Kurnool Range, Kurnool(T) Division had committed irregularities in recommending for shifting of Sawmills within a distance of 5 Kms from the nearest R.F Boundary, in violation to the G.O.Ms.No.91, E.F.S. & T. (FOR-III) Department, dated 11.07.2006, thereby, violated his legitimate duties prescribed under Section 155 of A.P. Forest Department Code Volume-I". |

Thus, Sri B.M.Chanakya Raju, Assistant Conservator of Forests(Retd.), earlier Forest Range Officer, Kurnool Range, Kurnool (T) Division, by his above mentioned acts has exhibited lack of integrity, discipline and devotion to duty and conduct unbecoming of a Government Servant thereby, contravened Rule-3 of the A.P. Civil Services (Conduct) Rules, 1964. **Hence the charge.**

**NEERABH KUMAR PRASAD**
**SPECIAL CHIEF SECRETARY TO GOVERNMENT**

//FORWARDED:: BY ORDER //

SECTION OFFICER

## ANNEXURE–II

**STATEMENT OF IMPUTATIONS AND MISCONDUCT OR MISBEHAVIOR IN SUPPORT OF ARTICLE OF CHARGE FRAMED AGAINST SRI B.M.CHANAKYA RAJU, ASSISTANT CONSERVATOR OF FORESTS (RETD.), EARLIER FOREST RANGE OFFICER, KURNOOL RANGE, KURNOOL(T) DIVISION OF KURNOOL CIRCLE.**

That the said Sri B.M.Chanakya Raju, Assistant Conservator of Forests (Retd.), earlier Forest Range Officer, Kurnool Range, Kurnool (T) Division during his tenure for the period from 01.08.2009 to 25.04.2012 had grossly neglected his legitimate duties, committed grave misconduct and irregularities as mentioned in the following Articles of Charge:

| | |
|---|---|
| **ARTICLES OF CHARGE:** | "That Sri B.M.Chanakya Raju, Assistant Conservator of Forests (Retd.), earlier Forest Range Officer, Kurnool Range, Kurnool(T) Division had committed irregularities in recommending for shifting of Sawmills within a distance of 5 Kms from the nearest R.F Boundary, in violation to the G.O.Ms.No.91, E.F.S. & T. (FOR-III) Department, dated 11.07.2006, thereby, violated his legitimate duties prescribed under Section 155 of A.P.Forest Department Code Volume-I". |

**BASIS OF THE CHARGE:**

As per the report submitted by of the Conservator of Forests, Kurnool in Rc.No.600/2012/M6, dt.17.02.2012, the Sawmill Owners of the following (4) Sawmill submitted applications for shifting of the sawmills and the applications were forwarded to the Forest Range Officer, Kurnool for inspection. Accordingly, the Forest Range Officer, Sri B.M.Chanikya Raju submitted the inspection reports to the Divisional Forest Officer, Kurnool. Basing on the inspection reports of the said Forest Range Officer, the following Sawmills were shifted to the new locations.

The details of said Sawmills, previous location, new location and the recommendations of the earlier Forest Range Officer (Sri B.M.Chanakya Raju) are detailed in the following statement along with the details of inspection of the previous(original) locations carried out by the District Forest Officer, Kurnool recently on 29.01.2024 along with the present Forest Range Officer, Kurnool are incorporated in the column number (4) of the statement:

| **Sl. No.** | **Name of the Sawmill** | **Previous (Original) location** | **GPS readings & Distance from the nearest RF boundary of original locations** | **Shifted (new) location** | **GPS readings & Distance from the nearest RF boundary i.e., Pulliah park R.F** | **As per the inspection of FRO, Kurnool the distance from the nearest RF and his recommended date.** |
|---|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 1 | M/s. Srinivasa Sawmill, Kurnool | Sy.No.547, Plot No.428 of Shareen Nagar | 15.80297: 78.03143 3.093 Km. to Pullaiah Park R.F. | Industrial Estate, Ward No.76, Plot No.34 & 35 of Nirmal Nagar. | 15.81579: 78.02350 4.6 Km. | The FRO, Kurnool inspected the Sawmill on 30.11.2009 and shown the distance from the Pullaiah Park RF is 5.1 Km. |

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| | | | | | | |
|---|---|---|---|---|---|---|
| 2 | M/s. Abdul Razak & Son's Sawmill, Kurnool. | Sy.No.413/ C3 & 417/ B3, Kallur Road, Kurnool. | 15.82595: 78.03399 5.636 Km. to Pullaiah Park R.F. | Sy.No.642 Plot No.88 & 95 of Nandyal Road, Kurnool | 15.78472: 78.05566 3.21 Km. | The FRO, Kurnool inspected the Sawmill on 22.01.2011 and shown the distance from the Pulliah Park RF is 7.5 Km. |
| 3 | M/s. Madina Sawmill, Kurnool. | Polur village of Panyam Mandal. | 15.53717: 78.42631 2.774 Km. to Gani R.F. | Sy.No.147, 69 Ward, Joharapuram village, Kurnool Town. | 15.78376: 78.05671 3.31 Km. | The FRO, Kurnool inspected the Sawmill on 03.06.2011 and shown the distance from the Gadidamadugu RF is 5.48 Km. |
| 4 | M/s. Bharathi Sawmill, Kurnool | Sy.No.668 Saraswathi Nagar, Nandyal Check Post, Kurnool. | 15.79762: 78.05414 4.03 Km. to Pullaiah Park R.F. | Sy.No.660B Plot No.8 Saraswathi Nagar, Kurnool. | 15.79568: 78.05762 4.00 Km. | The FRO, Kurnool inspected the Sawmill on 27.02.2011 and shown the distance from the Gadidamadugu RF is 5.6 Km. |

From the above, it is noticed that the earlier Forest Range Officer, inspected said Sawmills and taken the nearest RF boundary line i.e., Pullaiah Park R.F for above Sawmills Sl.No. 1 & 2 of the table and shown the distance as 5.1 Km. and 7.5 Km. respectively. However, as per the then Divisional Forest Officer, Kurnool inspection and readings recorded and maps generated, the distances are 4.6 Km & 3.21 Km. respectively. The present District Forest Officer, Kurnool along with the Forest Range Officer Kurnool have also inspected the readings and generated maps on 29.01.2024 of Sl.No.1 & 2 in the above table and shown the distance as 4.528 Km. and 3.472 Km. respectively.

With regard to Sawmills shown at Sl.No.3 & 4 in the above table, the earlier Forest Range Officer (Sri B.M.Chanikya Raju), Kurnool had taken the nearest R.F boundary line as Gadidamadugu R.F, instead of Pullaiah Park R.F boundary line which is nearer than Gadidamadugu R.F line and shown the distance as 5.48 Km. and 5.6 Km. respectively and recommended for shifting. However, as per the earlier Divisional Forest Officer, Kurnool inspection and readings recorded and maps generated, the distances are 3.31 Km. & 4.00 Km. from Pullaiah Park R.F respectively. The present District Forest Officer, Kurnool along with the Forest Range Officer Kurnool have also inspected and recorded the readings and generated maps on 29.01.2024 of Sl.No.3 & 4 of the above table and shown the distance as 3.318 Km. and 4.012 Km. respectively.

As per G.O.Ms.No.91, E.F.S. & T. (FOR-III) Department, dated 11.07.2006, no relocation shall be allowed into the area prohibited under Andhra Pradesh Sawmill Rules. It means no Sawmill shall be shifted from outside of 5 Km. radius from the forest area to within 5 Km. of forest area. However, shifting will be allowed from within the 5 Km. of forest area to outside. Further, as per G.O.Ms.No.48, E.F.S. & T. (Sec-II) Department, dated 08.05.2018 Rule 11(3), no relocation of Wood Based Industry located within 5 Km. of Forest area shall be allowed within 5 Km. radius of the forest area.

In view of the above, it is evident that the earlier Forest Range Officer, Sri B.M.Chanikya Raju recommended for shifting of Sawmills within a distance of 5 Km. from the nearest RF boundary line. The distances reported by the earlier Forest Range Officer Sri B.M.Chanikya Raju, DFO(Retd.), was found incorrect in case of all the (4) Sawmills. Hence, it is a clear indication of the wrong intent of the earlier Forest Range Officer.

**(Contd.P-3)**

Thus, the primary duty of the Forest Range Officer is to submit factual information to his Superior Officer on the distance of the Sawmill from the Reserve Forest, which is a prerequisite for considering the shifting permission and he had not submitted the factual information resulting irregular permission for shifting of the Sawmill within 5 Km. from Reserve Forest. Submission of incorrect information by the earlier Forest Range Officer, Sri B.M.Chanikya Raju and recommended by him lead to wrong permission of shifting of Sawmill within 5 Km.

Thus, Sri B.M.Chanikya Raju, Assistant Conservator of Forests(Retd.), earlier Forest Range Officer, Kurnool(T) Division had failed to discharge his legitimate duties under Section 155 of A.P.Forest Department Code and also violated the provisions of G.O.Ms.No.91, E.F.S. & T. (FOR-III) Department, dated 11.07.2006.

**As per Section 155 of A.P.Forest Department Code, following are the duties and responsibilities of a Forest Range Officer:**

1. Forest Range Officer is the officer in executive charge of the Range and he is responsible for the efficient management of the Range, for the custody and condition of all Government property in his charge and for the discipline, conduct and work of all his subordinate staff.
2. He is responsible for the execution of all works in the Range, with the help of Forest Section Officers and guards, according to the instructions and orders of Divisional Forest Officer.
3. He is responsible for the collection and credit of Forest Revenue and for prompt and correct payment of all sums due for the work executed.
4. He must carry out his inspections in detail and see that all his subordinates do their work properly. In the event serious misconduct of any subordinate, the Range Officers should report the case to Divisional Forest Officer for disciplinary action.
5. He should maintain all accounts, relating to revenue, expenditure, timer and other forest produce, and submit his accounts and reports punctually to Division Office.
6. He should take effective measures to protect the forest wealth in his custody. Where illicit fellings are observed, the stumps should be examined to find out if they bear the impression of the guards hammer mark and if they were reported through guard's diary book and preliminary offence report (P.O.R) Range Officer is responsible for the protection and he should investigate Forest Offences in his Range and file charge sheets for the cases ordered for prosecution by Divisional Forest Officer.
7. He will execute the sanctioned works at the rates not exceeding the sanctioned rates and record measurements and quantities of work done.
8. He is responsible for the correct posting of works Registers, ledgers Journals, Plantation registers and other stationary registers maintained in the Range.
9. He should always wear the prescribed uniform whenever he is on duty and he should see that all Section Officers, Guards and Watchers wear the uniform when on duty.
10. He should submit his weekly diaries with details of works allotted, their progress during the week, status of protection of forests, etc to give a comprehensive picture of the Range.
11. All correspondence connected with the works in the Range should pass through Range Officer and any subordinate wishing to submit representation to the Division Forest Officer or other superior officer may do so only through him. Court summons issued to any subordinate should similarly be served through the Forest Range Officer, who has to arrange for the duties of the subordinate being carried out during his absence.
12. He is responsible to prepare annual plan of operations for the Range based upon the sanctioned working plan, working scheme or executive instructions and prepare necessary estimates and execute the works after obtaining sanctions and the budget.

**(Contd.P-4)**

13. He shall inspect the beats as per the programme given by Divisional Forest Officer and each beat in his Range should be inspected at least once in a calendar year and submit a detailed report regarding state of boundaries, condition of forests damage due to biotic pressures nature of offences, etc.

As per Rule 3 of A.P.Civil Services (Conduct) Rules,1964, every Government employee shall be devoted to his duty and shall maintain absolute integrity, discipline, impartiality and sense of propriety. Thus, the Forest Range Officer had failed to maintain absolute integrity and discipline which is nothing but violation of A.P.C.S. (Conduct) Rules, 1964 for which the Forest Range Officer is liable for initiation of necessary disciplinary action as per A.P.C.S. (CC&A) Rules,1991.

Thus, Sri B.M.Chanakya Raju, Assistant Conservator of Forests (Retd.), earlier Forest Range Officer, Kurnool Range, Kurnool(T) Division, by his above mentioned acts has exhibited lack of integrity, discipline and devotion to duty and conduct unbecoming of a Government servant thereby, contravened Rule-3 of the A.P.C.S. (Conduct) Rules,1964. **Hence the charge**.

**NEERABH KUMAR PRASAD**
**SPECIAL CHIEF SECRETARY TO GOVERNMENT**

//FORWARDED::BY ORDER //

SECTION OFFICER

**ANNEXURE-III**

**LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGE FRAMED AGAINST SRI B.M.CHANAKYA RAJU, ASSISTANT CONSERVATOR OF FORESTS (RETD.), EARLIER FOREST RANGE OFFICER, KURNOOL RANGE, KURNOOL(T) DIVISION OF KURNOOL CIRCLE ARE PROPOSED TO BE SUSTAINED.**

***

1. CF, Kurnool Rc.No.600/2012-M6, dt.17.02.2012.
2. DFO, Kurnool Rc.No.Inspection of Sawmills/2011-H3, dt.10.01.2012.
3. Maps submitted by the Forest Range Officer, Kurnool dt.29.01.2024 (8 No. Maps).
4. G.O.Ms.No.91, E.F.S. & T.(FOR-III) Dept., dt.11.07.2006.
5. G.O.Ms.No.48, E.F.S. & T. (Sec-II) Dept., dt.08.05.2018.

**NEERABH KUMAR PRASAD**
**SPECIAL CHIEF SECRETARY TO GOVERNMENT**

//FORWARDED:: BY ORDER //

SECTION OFFICER

**ANNEXURE-IV**

**LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGE FRAMED AGAINST SRI B.M.CHANAKYA RAJU, ASSISTANT CONSERVATOR OF FORESTS (RETD.), EARLIER FOREST RANGE OFFICER, KURNOOL RANGE, KURNOOL(T) DIVISION OF KURNOOL CIRCLE ARE PROPOSED TO BE SUSTAINED.**

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----Nil----

**NEERABH KUMAR PRASAD**
**SPECIAL CHIEF SECRETARY TO GOVERNMENT**

//FORWARDED:: BY ORDER //

SECTION OFFICER